



6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 51

[EPA-HQ-OAR-2009-0897; FRL-9913-69-OAR]

RIN 2060-AQ07

Withdrawal of the Prior Determination or Presumption that Compliance with the CAIR or the NO_x SIP Call Constitutes RACT or RACM for the 1997 8-Hour Ozone and 1997 Fine Particle NAAQS: Reopening of Public Comment Period

AGENCY: Environmental Protection Agency (EPA).

ACTION: Reopening of the public comment period.

SUMMARY: The Environmental Protection Agency (EPA) is announcing the reopening of the public comment period for its proposed rule titled, “Withdrawal of the Prior Determination or Presumption that Compliance with the CAIR or the NO_x SIP Call Constitutes RACT or RACM for the 1997 8-Hour Ozone and 1997 Fine Particle NAAQS,” which published in the *Federal Register* on June 9, 2014. The EPA has received a request to extend the comment period beyond July 9, 2014, and in response to that request, the EPA is reopening the comment period for an additional 30 days.

DATES: Comments on the proposed rule published June 9, 2014 (79 FR 32892) must be received on or before **[INSERT DATE 30 DAYS FROM PUBLICATION IN THE FEDERAL REGISTER]**.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-HQ-OAR-2009-0897, by one of the following methods:

- www.regulations.gov. Follow the online instructions for submitting comments. Attention Docket ID No. EPA-HQ-OAR-2009-0897.

- *Email:* a-and-r-docket@epa.gov. Attention Docket ID No. EPA-HQ-OAR-2009-0897.
- *Fax:* (202) 566-9744. Attention Docket ID No. EPA-HQ-OAR-2009-0897.
- *Mail:* EPA Docket Center, EPA West (Air Docket), Attention Docket ID No. EPA-HQ-OAR 2009-0897, U.S. Environmental Protection Agency, Mailcode: 28221T, 1200 Pennsylvania Avenue, NW, Washington, D.C. 20460. Please include a total of two copies.
- *Hand Delivery:* U.S. Environmental Protection Agency, William Jefferson Clinton West Building (Air Docket), 1301 Constitution Avenue, NW, Room 3334, Washington, D.C. 20004, Attention Docket ID No. EPA-HQ-OAR-2009-0897. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

Instructions. Direct your comments to Docket ID No. EPA-HQ-OAR-2009-0897.

The EPA's policy is that all comments received will be included in the public docket without change and may be made available online at www.regulations.gov, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through www.regulations.gov or email. The www.regulations.gov website is an “anonymous access” system, which means the EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to the EPA without going through www.regulations.gov, your

email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, the EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If the EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, the EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, avoid any form of encryption, and be free of any defects or viruses. For additional information about the EPA's public docket, visit the EPA Docket Center homepage at www.epa.gov/epahome/dockets.htm.

Docket. All documents in the docket are listed in the www.regulations.gov index. Although listed in the index, some information is not publicly available, *e.g.*, CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in www.regulations.gov or in hard copy at the Air and Radiation Docket and Information Center, EPA/DC, William Jefferson Clinton West Building, Room 3334, 1301 Constitution Ave., NW, Washington, D.C. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the Air Docket is (202) 566-1742.

FOR FURTHER INFORMATION CONTACT: Ms. Kristin Riha, Office of Air Quality Planning and Standards, Air Quality Policy Division, Mailcode C539-01, Research Triangle Park, NC 27711, telephone: (919) 541-2031; fax number: (919) 541-5315; email address: riha.kristin@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Background

On June 9, 2014, the EPA published in the *Federal Register* a rule proposing to withdraw any prior determination or presumption that, for the 1997 8-hour ozone national ambient air quality standard (NAAQS) and the 1997 fine particle NAAQS, compliance with the Clean Air Interstate Rule or the NO_x SIP Call automatically constitutes reasonably available control technology or reasonably available control measures for oxides of nitrogen or sulfur dioxide emissions from electric generating unit sources participating in these regional cap-and trade programs. The public comment period for the rulemaking closed on July 9, 2014. In response to a request from a commenter for additional time to submit comments, the EPA is reopening the comment period for an additional 30 days.

II. General Information

A. What should I consider as I prepare my comments for the EPA?

1. Submitting CBI. Do not submit this information to the EPA through www.regulations.gov or email. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD-ROM that you mail to the EPA, mark the outside of the disk or CD-ROM as CBI and then identify electronically within the disk or CD-ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed to be CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR Part 2.

2. *Tips for Preparing Your Comments.* When submitting comments, remember to:

- Identify the rulemaking by docket number and other identifying information (subject heading, *Federal Register* date and page number).
- Follow directions - The agency may ask you to respond to specific questions or organize comments by referencing a Code of Federal Regulations (CFR) part or section number.
- Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.
- Describe any assumptions and provide any technical information and/or data that you used.
- If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.
- Provide specific examples to illustrate your concerns, and suggest alternatives.
- Explain your views as clearly as possible, avoiding the use of profanity or personal threats.
- Make sure to submit your comments by the comment period deadline identified.

C. Where can I get a copy of this document and other related information?

In addition to being available in the docket, an electronic copy of this notice will be posted at <http://www.epa.gov/airquality/ozonepollution/actions.html>.

Dated: July 7, 2014.

Mary E. Henigin, Acting Director,
Office of Air Quality Planning and Standards.

[FR Doc. 2014-16571 Filed 07/14/2014 at 8:45 am; Publication Date: 07/15/2014]